IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6497 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE SHARAD D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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SHIVLAL DAHYABHAI RANA

Versus

SURAT MUNICIPAL CORPORATION

Appearance:

1. Special Civil Application No. 6497 of 1989

NOTICE SERVED for Petitioner No. 1

MR PRASHANT G DESAI for Respondent No. 1

MR SV PARMAR for Respondent No. 2

MS PREETI S PARMAR for Respondent No. 2

CORAM : MR.JUSTICE SHARAD D.DAVE

Date of decision: 13/09/2001

ORAL JUDGEMENT

The petitioner has filed this petition praying for his appointment to the post of Sanitary Officer and

other reliefs as seen in para 14 of the petition. Originally, the petitioner's advocate was Shri P.B.Majmudar who was elevated as a Judge of this Court and therefore, from the record it appears that notice was served to the petitioner asking him to engage another advocate in place of Shri P.B.Majmudar. The said notice has been served on the petitioner on 24.10.99. From the record it appears that the address of the petitioner is that of "The Chief Sanitary Officer, Surat Municipal Corporation", but when the bailiff of this Court went to serve notice on him, he was told that the petitioner has already retired from service and then his residential address was given, where the notice was served. I have compared the signature of the petitioner on the Vakalatnama of Shri P.B.Majmudar and that on the notice. They appear to be same. Under the circumstances, as the petitioner has already retired, the petition becomes infructuous. Hence, dismissed. Rule is discharged.

(SHARAD D DAVE, J)

srilatha